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SUBJECT: MINUSTAH'S EFFECTIVENESS IN COMBATTING SEXUAL EXPLOITATION AND ABUSE

REF: A. STATE 89356

1B. 06 PORT-AU-PRINCE 2375

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11. (U) This cable is sensitive but unclassified) please protect accordingly.

12. (U) The following information is in response to Reftel A requesting information on the effectiveness of UN efforts to combat sexual exploitation and abuse (SEA) in UN peacekeeping missions. Reftel B is the last submission from post on SEA investigations in Haiti. Haiti currently hosts the United Nations Mission for the Stabilization of Haiti (MINUSTAH). As of May 2007, MINUSTAH had 7,050 soldiers, 1,760 police officers, 457 international UN officials, 806 national officials, and 184 volunteers.

Measures taken to combat SEA

13. (U) Ruhul Sur, MINUSTAH's chief personal conduct officer in the Conduct and Discipline Unit (CDU), directs the mission's SEA prevention efforts. MINUSTAH's anti-SEA efforts focus on training, enforcement, and victim assistance. All members of MINUSTAH receive anti-SEA training. The CDU directly trains all civilian officials who are prohibited from engaging in sexual acts with prostitutes and children. Police officers receive training and are also prohibited from engaging in sexual acts with prostitutes and children. Every police officer also signs a statement committing to uphold MINUSTAH's anti-SEA stance. (Note. While sexual activity with prostitutes and children are forbidden, sexual relationships with local residents are not forbidden, though formally 'strongly discouraged.' End note.) The military contingent receives anti-SEA training as well, but is totally prohibited from having any sexual contact with any local resident. Enforcement efforts include designating as off-limits known places where prostitutes frequent; patrolling in the provinces for mission vehicles in known places that prostitutes frequent; establishing a 12:00 AM) 5:00 AM curfew for all MINUSTAH members; keeping the soldiers in the barracks at night; performing alcohol level checks; and referring violations and SEA allegations to the

Office of International Services (OIOS). Since the UN is in the process of finalizing its victim assistance policy, MINUSTAH has yet to develop official victim assistance mechanisms. In the meantime, MINUSTAH accepts voluntary statements from fathers willing to support the children they leave behind in Haiti.

Disposition of cases

¶4. (U) According to the CDU, Haitian nationals registered 22 SEA complaints in 2006, of which the OIOS transferred 10 to the mission for investigation. The OIOS investigated 11 cases with 1 case remaining unaccounted. Of the 10 cases referred to the mission for investigation, the mission substantiated 1 allegation and forwarded 2 cases, 1 to the Child Protection Unit (which is pending report) and another paternity case to the Permanent Mission of the country concerned. The mission could not substantiate SEA allegations in the remaining 7 cases. Of the 11 cases investigated by OIOS, the OIOS substantiated 1 allegation, while 3 remained unsubstantiated. The OIOS continues to investigate the remaining 7 cases. None of the cases involving minors (under the age of 18) have been substantiated to date. The two substantiated cases involved prostitution, for which MINUSTAH repatriated the personnel. In 2007 to date, Haitian nationals registered 9 SEA allegations, all of which the OIOS is investigating.

Perceptions of MINUSTAH's anti-SEA efforts

¶5. (SBU) GHESKIO (which treats SEA victims), the International Organization for Migration (IOM), the Pan-American Development Foundation, the National Human Rights Defense Network (RNDDH), and a former Canadian Embassy/MINUSTAH security officer all report not receiving

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any SEA allegations against MINUSTAH. The Ministry of Interior also did not receive any SEA allegations against MINUSTAH. These sources also concurred that the sexual exploitation and abuse of minors is relatively rare. Nevertheless, all noted that prostitution is a problem. MINUSTAH non-military personnel visit bars and clubs where prostitutes congregate, hence the off-limits list, and solicit sexual favors under the guise of the routine socializing that occurs in these types of establishments. The sexual activity usually does not occur on the premises. In addition, both RNDDH and IOM noted that SEA victims were unwilling to lodge complaints because the sexual exploitation and abuse sometimes took place in established, personal relationships.

Organizations contacted

¶6. (U) Sources: Within MINUSTAH: the Conduct and Discipline Unit, the Human Rights Section, and the Child Protection Unit. GoH: the Director of Political Affairs and Human Rights within the Ministry of Interior. NGOs: GHESKIO, the International Organization for Migration, the National Human Rights Defense Network (RNDDH), and the Pan-American Development Foundation (which has a human rights unit). Poloff consulted one individual who worked as a security officer for the Canadian Embassy and within MINUSTAH's Patrol and Emergency Response Unit, but who currently works as UNICEF's security officer.

MINUSTAH's effectiveness in combating SEA

¶7. (SBU) Comment. Without question, MINUSTAH's CDU takes its anti-SEA mandate very seriously. It has trained 1,317 personnel in 2007, distributed an anti-SEA themed calendar, is planning to reissue the off-limits list since owners of

these establishments rename their businesses, and is planning an anti-prostitution campaign for August 2007. Furthermore, the CDU enjoys the support of the highest levels within the mission. For example, the military force commander, Major General Carlos Alberto Dos Santos Cruz, participated for the entire morning in an anti-SEA officer training session, where he himself reiterated the zero-tolerance policy of sexual contact for the military. Finally, MINUSTAH appears to have communicated successfully its uncompromising intolerance of sexual exploitation and abuse of minors.

¶8. (SBU) Comment continued. Still, the CDU faces significant challenges. The first challenge that the CDU readily admits is eradicating the use of prostitutes among mission personnel: civilian, police, and to a lesser extent, the military. The second challenge is that there is no legal definition for sexual relationships being "'strongly discouraged.'" Consequently, the CDU has no mandate to prohibit sexual relationships where there is no explicit commercial transaction, but are exploitative and abusive nonetheless. Post concludes that despite the CDU's ardent efforts, sexual exploitation and abuse occurs by MINUSTAH members who are determined to circumvent MINUSTAH's anti-SEA mechanisms. These efforts to evade the anti-SEA mechanisms include parking UN vehicles in a safe area and walking to the off-limit establishment on foot, and justifying relationships with prostitutes. Haitian (and trafficked Dominican) prostitutes and business owners help MINUSTAH members evade anti-SEA mechanisms by relocating the commercial aspect of the relationship off-site, exchanging money for otherwise legitimate services such as massage or housework, or renaming the bars/night clubs, thereby removing them from the off-limit list. End comment.

SANDERSON